

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DONTE HILL,	:	Case No.: 1:19-cv-308
Plaintiff,	:	Judge Susan J. Dlott
-vs-	:	
	:	ANSWER
CITY OF CINCINNATI, et al.,	:	
Defendants.	:	

Comes now Defendant, Fraternal Order of Police Queen City Lodge No. 69 ("FOP"), by and through counsel, and answers Plaintiff's Amended Complaint as follows:

1. This Defendant denies the allegations in paragraph 1 of Plaintiff's Amended Complaint.
2. This Defendant admits the allegations in paragraph 2 of Plaintiff's Amended Complaint.
3. This Defendant denies the allegations in paragraph 3 of Plaintiff's Amended Complaint.
4. This Defendant admits the allegations in paragraph 4 of Plaintiff's Amended Complaint.
5. This Defendant admits the allegations in paragraph 5 "Parties," of Plaintiff's Amended Complaint.
6. This Defendant admits the allegations in paragraph 5 "Facts," of Plaintiff's Amended Complaint.
7. This Defendant admits the allegations in paragraph 6 of Plaintiff's Amended Complaint.
8. This Defendant admits the Department Level Hearing Summary contains the statements in paragraph 7 of Plaintiff's Amended Complaint.
9. This Defendant admits the allegations in paragraph 8 of Plaintiff's Amended Complaint.
10. This Defendant admits the allegations in paragraph 9 of Plaintiff's Amended Complaint.
11. This Defendant admits the allegations in paragraph 10 of Plaintiff's Amended Complaint.
12. This Defendant admits the allegations in paragraph 11 of Plaintiff's Amended Complaint.

13. This Defendant admits the allegations in paragraph 12 of Plaintiff's Amended Complaint.
14. This Defendant admits the allegations in paragraph 13 of Plaintiff's Amended Complaint.
15. This Defendant admits the allegations in paragraph 14 of Plaintiff's Amended Complaint.
16. This Defendant admits the allegations in paragraph 15 of Plaintiff's Amended Complaint.
17. This Defendant admits the allegations in paragraph 16 of Plaintiff's Amended Complaint.
18. This Defendant denies the allegations in paragraph 17 of Plaintiff's Amended Complaint.
19. This Defendant denies the allegations in paragraph 18 of Plaintiff's Amended Complaint for want of knowledge.
20. This Defendant admits the allegations in paragraph 19 of Plaintiff's Amended Complaint.
21. This Defendant admits the allegations in paragraph 20 of Plaintiff's Amended Complaint.
22. This Defendant denies the allegations in paragraph 21 of Plaintiff's Amended Complaint.
23. This Defendant denies the allegations in paragraph 22 of Plaintiff's Amended Complaint for want of knowledge.
24. This Defendant admits the allegations in paragraph 23 of Plaintiff's Amended Complaint.
25. This Defendant denies the allegations in paragraph 24 of Plaintiff's Amended Complaint.
26. This Defendant denies the allegations in paragraph 25 of Plaintiff's Amended Complaint.
27. This Defendant denies the allegations in paragraph 26 of Plaintiff's Amended Complaint for want of knowledge.
28. This Defendant denies the allegations in paragraph 27 of Plaintiff's Amended Complaint.
29. This Defendant denies the allegations in paragraph 28 of Plaintiff's Amended Complaint for want of knowledge.
30. This Defendant denies the allegations in paragraph 29 of Plaintiff's Amended Complaint for want of knowledge.

ANSWER TO COUNT 1

31. This Defendant incorporates by reference its response to paragraphs 1 through 29 of Plaintiff's First Amended Complaint as if fully rewritten herein.

32. This Defendant admits that O.R.C. §4112.02 sets forth "unlawful discriminatory practices," but denies the remaining allegations in paragraph 31 of Plaintiff's Amended Complaint as to the FOP.

33. This Defendant denies the allegations in paragraph 32 of Plaintiff's First Amended Complaint as to the FOP.

34. This Defendant denies the allegations in paragraph 33 of Plaintiff's First Amended Complaint as to the FOP.

35. This Defendant denies the allegations in paragraph 34 of Plaintiff's First Amended Complaint.

ANSWER TO COUNT 2

36. This Defendant incorporates by reference its response to paragraphs 1 through 35 of Plaintiff's First Amended Complaint as if fully rewritten herein.

37. This Defendant denies the allegations in paragraph 36 of Plaintiff's First Amended Complaint as to the FOP.

AFFIRMATIVE DEFENSES

1. This Defendant denies each and every allegation in Plaintiff's Amended Complaint unless specifically admitted as true.
2. This Defendant states that Plaintiff's Amended Complaint fails to state a claim upon which relief can be granted.
3. This Defendant is not a government entity that cannot be liable under 42 U.S.C. §1983.
4. This Defendant gives notice that it intends to assert and rely upon all affirmative defenses, immunities, avoidances, counterclaims, cross-claims and third-party claims which become available or apparent during discovery.

WHEREFORE, having fully answered, Defendant, Fraternal Order of Police, Queen City

Lodge No. 69, prays that Plaintiff's First Amended Complaint be dismissed as to the FOP.

/s/ Kimberly A. Rutowski

Kimberly A. Rutowski (Ohio Reg. #0076653)
**Counsel for Defendant The Fraternal Order of Police,
Lodge 69**

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Answer has been served by electronic case filing through the United States District Court, upon all counsel of record, this 14th day of September, 2020.

/s/ Kimberly A. Rutowski

Kimberly A. Rutowski (Ohio Reg. #0076653)